

IN THE CLAIMS:

Please amend the claims as follows:

1-34. (cancelled)

35. (Presently amended) A lavatory cleansing block which has been formed by extruding two compositions, in which:

a first one of the compositions comprises a bleach, and a first hydrophobe component;

and

~~the~~ a second one of the compositions comprises a second hydrophobe component, and a perfume which is not stable in the presence of the bleach in the first composition;

wherein the first hydrophobe and the second hydrophobe are different from each other, and the first composition does not include any hydrophobe which is present in the second composition.

36. (Previously presented) The block as recited in claim 35, wherein one of the compositions comprises a colorant.

37. (Previously presented) The block as recited in claim 35, wherein the perfume is a hydrophobe.

38. (Previously presented) The block as recited in claim 35, wherein a second perfume, which is stable in the presence of the bleach, is incorporated in the first composition.

39. (Previously presented) The block as recited in claim 35, wherein the block is a rim block.

40. (Previously presented) The block as recited in claim 35, wherein the block is a cistern block.

41. (Previously presented) The block as recited in claim 35, wherein the second composition includes a bleach activator.

42. (Previously presented) The block as recited in claim 41, wherein the bleach activator is sodium bromide.

43. (Previously presented) The block as recited in claim 35, wherein both compositions include a surfactant.

44. (Previously presented) The block as recited in claim 35, wherein the bleach comprises a halogen release agent.

45. (Previously presented) The block as recited in claim 44, wherein the bleach comprises a chlorine release agent.

46. (Previously presented) The block as recited in claim 45, wherein the bleach is an N-chlorinated cyanuric acid derivative.

47. (Previously presented) The block as recited in claim 35, wherein the compositions are co-extruded.

Please add the following new claims:

48. (New) The block as recited in claim 35, wherein the bleach is present in an amount of 2 to 75 % by weight of the complete block.

49. (New) The block as recited in claim 35, wherein the first and second ones of the compositions have about the same weight.

50. (New) The block as recited in claim 35, wherein wherein the first and second ones of the compositions have about the same size.

51. (New) The block as recited in claim 35, wherein the perfume is present in an amount of 0.5 to 15 % by weight of the complete block.

REMARKS

The Final Office Action, the Advisory Action, and the Notice of Abandonment have been carefully considered. The present Amendment is intended to be a complete reply thereto and to place the case in condition for allowance. Applicant files herewith a Petition for a four month extension of time, a Request for Continued Examination (RCE), and fees therefor. The present Amendment is intended as a submission required under 37 C.F.R. § 1.114 and is submitted concurrently with the RCE.

Claims 35-51 are pending. Claim 35 has been amended to be in proper form. Claims 48-51 have been added. Support for claims 48-50 is found in the specification on page 4, fourth full paragraph. Support for claim 51 is found in the specification of page 5, first paragraph.

THE NOTICE OF ABANDONMENT IS IMMATURE

The Examiner abandoned the present application for failure to timely file a proper reply to the Final Office Action of October 15, 2002. Applicant respectfully traverses the abandonment.

Applicant filed a Notice of Appeal on April 15, 2003. According to 37 C.F.R. 1.192(a), Applicant has two months from the date of the Notice of Appeal to file an appeal brief. Further, Applicant can request an additional five month extension of time pursuant to 37 C.F.R. 1.136(a). Thus overall, Applicant has seven months from the date of the Notice of Appeal to file an appeal brief with appropriate petition and fees. In this case, the seven month date is November 15, 2003. The Examiner has prematurely abandoned the present application on October 8, 2003. Therefore, Applicant respectfully requests withdrawal of the abandonment.

THE CLAIMS ARE NOT OBVIOUS

Claims 35-47 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Holdt et al. (U.S. Patent No. 4,578,207). Applicant respectfully traverses the rejection.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See MPEP 2143.

Holdt et al. fail to disclose that the perfume in the second composition “is not stable in the presence of the bleach in the first composition” (emphasis added) as required by claim 35, the only independent claim of the present invention. Claim 35 recites a cleansing block formed of two separate compositions. Bleach is contained in one composition and perfume is in the other composition. The perfume is not compatible with the bleach and so degradation of the perfume by the bleach is avoided or greatly minimized by practicing the present invention. Holdt et al. disclose a fragrance (which is a perfume and a hydrophobe, and is also bleach stable) in one or both parts of a two part disinfectant tablet. As pointed out by the Examiner in the Advisory Action, column 5, lines 10-25, teaches “a tablet with one region containing liquid paraffin (hydrophobe 1) and another region containing a fragrance (hydrophobe 2).” However, the Examiner fails to appreciate that the fragrance used by Holdt et al. are “insensitive to decomposition by other ingredients” (see column 3, line 67, to column 4, line 2). Clearly, the fragrance of Holdt et al. is resistant to bleach degradation. On the other hand, the perfume used

by the present invention is not stable in the presence of bleach, a component of the first composition.

Holdt et al. also fail to disclose the limitations of the dependent claims. Particularly, the reference fails to disclose 1) a second perfume that is stable in the presence of bleach in the first composition, as required by claim 38; 2) a rim block, as required by claim 39; 3) a cistern block, as required by claim 40; 3) a bleach activator, as required by claim 41; 4) sodium bromide, as required by claim 42; and 5) that the compositions are co-extruded, as required by claim 47.

Further, there is no motivation to modify the teaching of Holdt et al. to arrive at the present invention. In particular, there is no motivation to select a perfume that is sensitive to bleach as required by the present invention, because Holdt et al. specifically teaches against such a perfume. In column 3, line 67, to column 4, line 2, Holdt et al. disclose that the perfumes “can be used in both component of the tablet” and “are insensitive to decomposition by other ingredients” (emphasis added). This teaching is clearly inapposite to and teaches away from the present invention where the perfume is not stable in the presence of bleach. Therefore, from the teaching of Holdt et al., one of ordinary skill in the art would not have been motivated to pick a perfume that is unstable in the presence of bleach.

Therefore, for the reasons noted, the claims are not obvious within the meaning of 35 U.S.C. § 103. Accordingly, the rejections are improper and should be withdrawn.

CONCLUSION

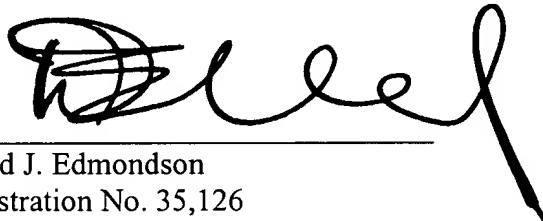
In the event there are any questions relating to this Amendment or to the application in general, it would be appreciated if the Examiner would telephone the undersigned attorney concerning such questions so that the prosecution of this application may be expedited.

Please charge any shortage or credit any overpayment of fees to BLANK ROME LLP, Deposit Account No. 23-2185 (000026-00028). In the event that a petition for an extension of time is required to be submitted herewith and in the event that a separate petition does not accompany this response, Applicant hereby petitions under 37 CFR 1.136(a) for an extension of time for as many months as are required to render this submission timely. Any fee due is authorized above.

Respectfully submitted,

Date: October 15, 2003

By:



David J. Edmondson
Registration No. 35,126

BLANK ROME LLP
Watergate
600 New Hampshire Avenue
Washington, DC 20037
Telephone: 202-772-5800
Facsimile: 202- 572-1400